

**THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
SUPERIOR COURT**

Merrimack Superior Court  
163 North Main St./PO Box 2880  
Concord NH 03302-2880

Telephone: 1-855-212-1234  
TTY/TDD Relay: (800) 735-2964  
<http://www.courts.state.nh.us>

**NOTICE OF DECISION**

**File Copy**

Case Name: **In the Matter of the Winding Down of: The New Hampshire Medical  
Malpractice Joint Underwriting Association**  
Case Number: **217-2015-CV-00347**

Enclosed please find a copy of the court's order of October 16, 2018 relative to:

Order Approving Charitable Organization to Receive Transfer of Remaining Hardship Fund  
"So Ordered."

October 17, 2018

Catherine J. Ruffle  
Clerk of Court

(485)

C: J. Christopher Marshall, ESQ; Daniel John Mullen, ESQ; W. Scott J. O'Connell, ESQ; Kevin M.  
Fitzgerald, ESQ; Eric A. Smith, ESQ; J. David Leslie, ESQ

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

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)  
IN THE MATTER OF THE WINDING DOWN OF: )

) No. 217-2015-CV-00347

THE NEW HAMPSHIRE MEDICAL MALPRACTICE )  
JOINT UNDERWRITING ASSOCIATION )  
\_\_\_\_\_) )

**[PROPOSED]**

**ORDER APPROVING CHARITABLE ORGANIZATION TO  
RECEIVE TRANSFER OF REMAINING HARDSHIP FUND**

On consideration of the motion of John R. Elias, Insurance Commissioner of the State of New Hampshire, as Receiver ("Receiver") of the New Hampshire Medical Malpractice Joint Underwriting Association ("NHMMJUA"), assented to by Class Representatives by and through Class Counsel for policyholders appearing in this proceeding, for approval of Endowment for Health, Inc. ("Endowment for Health") as the charitable organization to receive the amount remaining in the hardship fund at the termination of the receivership pursuant to RSA 404-C:16, III, it is hereby ORDERED as follows:

1. The Receiver's Motion for Approval of Charitable Organization to Receive Transfer of Remaining Hardship Fund Pursuant to RSA 404-C:16 is granted; and
2. Endowment for Health is approved as the charitable organization that promotes aid to health care providers servicing medically underserved populations to receive the amount remaining in the hardship fund at the termination of this proceeding. The fund shall be held by the Endowment for Health in its permanent fund, the income only to be used to promote aid to health care providers servicing medically underserved populations.

3. The Receiver shall move for approval of the actual transfer of remaining hardship funds to the Endowment for Health as the termination of this proceeding approaches.

So Ordered.

Dated: 10/16/18

Richard B. McNamara  
Presiding Justice

**RICHARD B. MCNAMARA  
PRESIDING JUSTICE**